

REMARKS

A. Related Patent Applications

Applicant invites the attention of the examiner to copending U.S. patent application serial number 10/167,791, U.S. patent application serial number 10/314,404 and U.S. patent application serial number 10/457,703. The present application as well as application serial numbers 10/167,791, 10/314,404 and 10/457,703 are all commonly owned.

B. Citation of Prior Art

Applicant is enclosing a citation of prior art (Form PTO/SB/08A) for consideration by the examiner. The enclosed citations of prior art (Form PTO/SB/08A) were recently cited in copending U.S. patent application serial number 10/167,791. Since the application was filed after June 30, 2003, copy of each of the references identified in the citation of prior art citation of prior art (Form PTO/SB/08A) is not enclosed.

C. Restriction Requirement

The present application was subjected to a restriction requirement under 35 U.S.C. 121. Applicant hereby confirms the provisional election without traverse made by the attorney of record as set forth in the office action. Applicant has canceled the claims directed to the non-elected invention without prejudice or disclaimer for prosecution in a divisional application.

D. Outstanding Action

Claims 1-3, 5 and 6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wiessenberg et al. (US Patent 6,368,511) in view of Barbini (US Patent 4,111,402).

Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wiessenberg et al. (US Patent 6,368,511) in view of Barbini (US Patent 4,111,402) and Bober et al. (US Patent 5,695,645).

Claim 7, 8, 10, 11, 13, 14, 16-20 and 22-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wiessenberg et al. (US Patent 6,368,511) in view of Barbini (US Patent 4,111,402) and Sesay et al. (US Patent 6,454,949).

Claims 9 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wiessenberg et al. (US Patent 6,368,511) in view of Barbini (US Patent 4,111,402) and Sesay et al. (US Patent 6,454,949) and Bober et al. (US Patent 5,695,645).

Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wiessenberg et al. (US Patent 6,368,511) in view of Sesay et al. (US Patent 6,454,949).

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wiessenberg et al. (US Patent 6,368,511) in view of Sesay et al. (US Patent 6,454,949) and Bober et al. (US Patent 5,695,645).

E. Status Of Claims

Claims 1-30 were pending in the application prior to the instant Amendment

Claims 29 and 30 have been canceled without prejudice or disclaimer as being drawn to a nonelected species.

Claim 2, 3, 5, 8, 10, 13, 14, 16, 19, 20 and 25-27 have been canceled without prejudice or

disclaimer.

Claims 1, 4, 6-7, 9, 11-12, 15, 17-18, 21-24 and 28 are now pending.

F. Amendments To The Title

The Title has been amended in accordance with the enclosed marked up copy. A replacement Title page is enclosed herewith.

G. Pending Claim

Claims 1-28 rejected under 35 U.S.C. 103(a) as being unpatentable over various combinations of Wiessenberg et al. (US Patent 6,368,511) in view of Barbini (US Patent 4,111,402) and Bober et al. (US Patent 5,695,645) and Sesay et al. (US Patent 6,454,949) and U.S. Patent 3,578,075 to Winter.

Applicant has amended independent claims 1, 7, 12, 18 and 23 to more particularly point out and distinctly claim the invention. Independent claims 1, 7, 12, 18 and 23 have been amended to recite the specific type of static mixers utilized in the apparatus.

More particularly, independent claims 1, 7, 12, 18 and 23 have been amended to recite a first static mixing device comprising a first tube having a generally square cross section defining four generally acute corners. The first tube is spirally twisted with the plurality of corners forming a first plurality of helixes for causing the first chemical flowing through the first tube to rotate and to mix with the liquid.

In a similar manner, independent claims 1, 7, 12, 18 and 23 have been amended to recite a second static mixing device comprising a second tube having a generally square cross section defining four generally acute corners. The second tube is spirally twisted with the plurality of corners forming a second plurality of helixes for causing the second chemical flowing through the

second tube to rotate and to mix with the liquid.

The antecedent basis for the above amendments to the independent claims 1, 7, 12, 18 and 23 is found on page 15 lines 2-14 of the specification.

Applicant respectfully request reconsideration of the rejection of the claims in view of the instant Amendment. There is no teaching, suggestion or incentive in any of the references of record to provide a structure set forth amended independent claims 1, 7, 12, 18 and 23.

The remaining claims are dependent upon independent claims 1, 7, 12, 18 and 23 and should be allowable upon the allowance of independent claims 1, 7, 12, 18 and 23.

The prior art made of record but not relied upon has been reviewed and appears to be less pertinent to the claimed subject matter than the references cited by the Examiner. The remaining references do not teach nor suggest the structure set forth in the proposed claims.

H. Precautionary Request for an Extension of Time

In the event the present filing is not timely filed, applicant request an Extension of Time for an appropriate period of time. Please charge Deposit Account No. 06-2120 for the fees for any Extension of Time.

I. Additional Fees

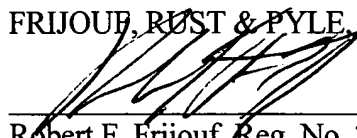
Please charge Deposit Account No. 06-2120 for the fees for any additional claims, an Extension of Time, Citation of Prior Art, Petitions, Terminal Disclaimers or any other fee arising out of this correspondence.

Applicant verily believes that all claims are now in condition for allowance and favorable action is respectfully requested. The undersigned attorney of record cordially invites any telephonic communications from the examiner that may assist the examiner in the examination and to expedite

the allowance and issuance of Letters Patent on the subject invention.

Respectfully submitted,

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Deposit Account

Please charge our account any deficiency in fees or credit any over payment arising out of this correspondence to Deposit Account No. 06-2120.

Certificate of Mailing

It is hereby certified that the foregoing correspondence and fee is being placed in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 and mailed by first class mail, postage prepaid, this 23th day of September, 2005.

